

REMARKS

An Office Action was mailed on July 2, 2007. Claims 1-10 are pending.

DOUBLE PATENTING

Claims 1, 2, 6, and 8-10 are rejected under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 2, 6 and 8-10 of co-pending U.S. Application 10/542,140. Applicant hereby traverses such rejection in view of the submission herewith of a terminal disclaimer over co-pending U.S. Application 10/542,140.

REJECTIONS UNDER 35 U.S.C. §101

Claims 8 and 9 are rejected under 35 U.S.C. §101 as falling within overlapping statutory classes or not falling within one of the four categories of patentable subject matter. Responsive thereto, Applicant has re-worded Claims 8 and 9 using more customary language.

REJECTIONS UNDER 35 U.S.C. § 112, SECOND PARAGRAPH

Claim 8 is rejected under 35 U.S.C. §112, second paragraph, because the claim describes a device comprising a method from an independent claim. Applicant respectfully traverses such rejection in view of the amendment to claim 8 presented herewith.

Claim 10 is rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Responsive thereto, Applicant has removed the objected-to phrase “such as,” from the claim.

BACKGROUND

By way of background, and before addressing the prior art rejections, Applicant wishes to note that the present application is based upon the insight that views displayed on a computer screen may be rearranged *by the computer* so as to produce an alternative arrangement of views. The present application benefits from the further insight that a *user may be presented* with

several alternative arrangements of views, from which ***the user may select*** the most suitable arrangement. (*see* page 6, lines 1-5 of the originally-filed application) Instead of ***manually*** dragging the individual views to other locations on the screen using a mouse, touch pad or other pointing device, while avoiding overlap, the present application ***allows the computer to present*** various alternative arrangements of views from which ***the user can select*** the most suitable arrangement. (*see* page 4, lines 4-7 of the originally-filed application).

This background discussion is only presented for the Examiner's understanding, and should not be considered as limiting the claims in any way.

REJECTIONS UNDER 35 U.S.C. § 103

Returning now to the claim rejections, Claims 1, 2, 5, 6, 8-10 are rejected under 35 U.S.C. §103(a) as being unpatentable over Kandogan et al. (Elastic Windows) in view of de Judicibus et al. (U.S. Patent 5,874,962). Claim 3 is further rejected claim 5 under 35 U.S.C. §103(a) as being unpatentable over Kandogan et al. (Elastic Windows) in view of de Judicibus et al., and further in view of Zenith (U.S. Patent 7,036,083). Claim 4 is further rejected under 35 U.S.C. §103(a) as being unpatentable over Kandogan et al. (Elastic Windows) in view of de Judicibus et al., and further in view of Ellison-Taylor (U.S. Patent 5,796,402). Claim 7 is further rejected under 35 U.S.C. §103(a) as being unpatentable over Kandogan et al. (Elastic Windows) in view of de Judicibus et al., and further in view of Southgate (U.S. Patent 5,561,757). Reconsideration is requested in view of the amendments and arguments presented herewith.

Applicant has incorporated the subject matter of claim 2 into claim 1. Applicant has further amended claim 1 to now require:

the computer receiving a rearrangement request from a user to collectively rearrange views on the computer screen relative to an original arrangement of views, the computer determining one or more possible alternative arrangements of views in response to the rearrangement request and selecting one possible alternative arrangement for display,

the computer displaying the selected alternative arrangement on the screen with all views retaining their original dimensions from the original arrangement of views, and with each successive rearrangement request, the computer selecting for display one of another possible alternative arrangement of views or the original arrangement of views.

De Judicibus et al. discuss a “weighted-arranged” system of windows where windows are positioned on a screen in accordance with an algorithmic relationship (see columns 3 and 4 of de Judicibus et al.). Such windows are “balanced” relative to each other in accordance with certain variables of weighting, or screen constraints, or both. If certain constraints challenge a weight assessment, then the windows are “normalized” (FIG. 10) to accommodate the desktop dimensions. Thus, de Judicibus et al. contemplates a screen window environment where all screens are arranged and displayed pursuant to a statistical, weighting calculation that is effectively independent of user’s ability to select an arrangement or rearrangement of screen windows from among a plurality of possible, alternative screen window arrangements.

Kandogan et al. describes a user’s ability to *manually* manipulate and relocate specific windows relative to other windows.

However, neither Kandogan et al. nor de Judicibus contemplate the situation where the computer receives a rearrangement request from a user to collectively rearrange views on the computer screen relative to an original arrangement of views, **the computer determines** one or more possible alternative arrangements of views in response to the rearrangement request and **selects** one possible alternative arrangement for display, the computer displays the selected alternative arrangement on the screen with all views retaining their original dimensions from the original arrangement of views, and with each successive rearrangement request, **the computer selects** for display one of another possible alternative arrangement of views or the original arrangement of views.

Applicant respectfully submits that Kandogan et al. require a user to **manually** manipulate views to achieve a screen rearrangement, contrary to the claimed invention where the **computer determines and selects** alternative arrangements of views. Applicant further

respectfully submits that none of the secondary or tertiary art cited in the Office Action of July 2, 2007, would teach one skilled in the art to modify Kandogan et al. from a *fundamentally* user-driven, manual manipulation of views to an automatic computer-driven presentation of alternative arrangement of views for selection by a user. Accordingly, Applicant respectfully submits that a prima facie case of obviousness has not been successfully established through the combination of Kandogan and de Judicibus et al. alone, or in further combination with any of Zenith, Ellison-Taylor or Southgate.

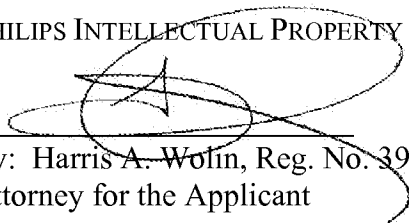
For the foregoing reasons, reconsideration is respectfully requested.

An earnest effort has been made to be fully responsive to the Examiner's objections. In view of the above amendments and remarks, it is believed that claims 1 and 3-10 are in condition for allowance. Passage of this case to allowance is earnestly solicited. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper, not already paid through an EFS-Web filing, may be charged to Deposit Account No. 50-3894. Any overpayment may be credited to Deposit Account No. 50-3894.

Respectfully submitted,

PHILIPS INTELLECTUAL PROPERTY & STANDARDS



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